

REMARKS

In light of the following remarks and above amendments, reconsideration and allowance of this application are respectfully requested.

It is submitted that these claims, as originally presented, are patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103 or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

Claims 2-5, 14, 15, 21-24, 33-36, 45, 46 and 52-55 and amended claims 1, 13, 20, 32, 44 and 51 are in this application.

At paragraph 9 of the outstanding Office Action of June 25, 2003, the Examiner rejected claims 1-5, 13-15, 20-24, 32-36, 44-46 and 51-55 under 35 U.S.C. 103(a) as being unpatentable over JP 10-65662 in view of Schneck et al. (U.S. Patent No. 6,314,409 B2) and Ryan et al. (U.S. Patent No. 6,374,036 B1). Applicants therefore, respectfully traverse the rejection.

Amended independent claim 1, recites in part, “An information-signal playback system comprising...**comparing means for comparing the decrypted information on said copyright protection with the unencrypted information on said copyright protection to judge if an attempt to alter the information on said copyright protection has been performed...**” (Underlining and Bold added for emphasis.)

The combination of JP 10-65662, Schneck and Ryan fail to teach or suggest the above-recited limitation of amended independent claim 1. At paragraph 9 of the present Office

Action the Examiner stated that claim limitations (i) “output means for supplying the information on copyright protection encrypted by the encryption means...” and (ii) “watermark detecting means” are not disclosed by JP 10-65662. The Examiner relied only on Schneck and Ryan to teach the above-mentioned limitations and therefore reject claims 1-5, 13-15, 20-24, 32-36, 44-46 and 51-55.

Schneck merely teaches encrypting some of the copyright information. The claimed invention, however, recites that all of the copyright information is provided in both encrypted and unencrypted forms. While the Examiner states that it would be obvious to provide all of the copyright information in both encrypted and unencrypted form, applicants disagree. Without a reason for sending all of the information twice, such a transmission would be a waste and would use up additional time and resources for no purpose. In the claimed invention, the reasoning behind sending all the information in two forms, one encrypted and one unencrypted, is for comparison purposes. Specifically, in the claimed invention the contents of the decrypted and unencrypted information streams are compared in order to determine if an attempt to alter the information on said copyright protection has been performed by a user. Without performing such a comparison, Schneck has no reason to send an encrypted information signal of all the data and an unencrypted information signal of all the data because it would be redundant and would take up valuable storage space. Indeed, Schneck is determining whether a data element should be protected or unprotected and depending on this determination the data element is stored either in the encrypted body part or the unencrypted body part, not in both body parts (column 13, lines 11-18 and column 14, lines 17-26). This is done because Schneck needs to control access to digital data that comprises protected data portions. No comparison is being performed between the decrypted and unencrypted data.

However, in accordance with the claimed invention it is essential that all the contents of both information streams are provided in encrypted and unencrypted form because the purpose of the invention is to prevent an illegal copy operation by comparing the contents of the decrypted and unencrypted information streams. In order to prevent illegal copies, all the data must be available in order to perform an accurate comparison. Therefore, Schneck does not disclose “comparing means for comparing the decrypted information on said copyright protection with the unencrypted information on said copyright protection to judge if an attempt to alter the information on said copyright protection has been performed.”

The Examiner stated that Ryan discloses watermark-detecting means to teach feature (ii). Independent claims 1, 13, 20, 32, 44 and 51 and their respective dependent claims do not recite any watermark-detecting means. Furthermore, Ryan does not teach the above-mentioned added feature of amended independent claim 1. Ryan does not teach that all of the copyright information is provided in both encrypted and unencrypted forms and also does not teach comparing means for comparing the decrypted information on the copyright protection with the unencrypted information on the copyright protection to judge if an attempt to alter the information on the copyright protection has been performed. Indeed, Ryan is only concerned with a method that requires only one watermark for digital video recording (column 2, lines 30-35).

Therefore, independent claims 1, 13, 20, 32, 44 and 51 are believed to be distinguishable from JP 10-65662 in view of Schneck and Ryan.

Claims 2-4, 14, 15, 21-24, 33-36, 45, 46 and 52-55 are dependent from one of the independent claims, and due to such dependency, are believed to be distinguishable from JP 10-65662 in view of Schneck and Ryan for at least the reasons previously described.

Applicants therefore, respectfully request the rejection of claims 1-5, 13-15, 20-24, 32-36, 44-46 and 51-55 under 35 U.S.C. 103(a) be withdrawn.

It is to be appreciated that the foregoing comments concerning the disclosures in the cited prior art represent the present opinions of the applicants' undersigned attorney and, in the event, that the Examiner disagrees with any such opinions, it is requested that the Examiner indicate where in the reference or references, there is the bases for a contrary view.

Please charge any fees incurred by reason of this response to Deposit Account No. 50-0320.

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